

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|  |   |
|--|---|
| <b>In re: Lion Air Flight JT 610 Crash</b> | <b>Consolidated Case No.:</b><br><b>1:18-cv-07686</b><br><br>Related to Cases<br><br>No.: 1:19-cv-02774<br><br>Honorable Thomas M. Durkin |
|--|---|

**PLAINTIFFS' MOTION FOR ORDER AMENDING THAT PORTION OF  
PREVIOUS ORDERS REGARDING MINORS BLOCKED ACCOUNTS**

**BACKGROUND**

1. Plaintiffs, all natural custodial parents of the minors involved in the 11 Decedents' estates listed below, come now to petition the Court for an order amending previously entered orders of dismissals and approval of minor settlements.

**FACTS**

2. On January 29, 2020 the Court reviewed and approved the minor settlement(s), and dismissed the following Decedent's claims with prejudice:

| <u>#</u> | Decedent    | Guardian  | Minor(s)                 | ECF # |
|----------|-------------|---|--------------------------|-------|
| 1        | MARIA ULFAH | PRASETYO WAHYU ADI<br>Natural Custodial Parent of Minor | L.H.R.                   | 341   |
| 2        | JOYO NUROSO | ANNA ROCHMAWATI<br>Natural Custodial Parent of Minors   | A.M.H.<br>I.F.<br>F.M.T. | 342   |
| 3        | NICKO YOGHA | RUKENI  | N.A.M.                   | 343   |

|    |                                |   |                                  |     |
|----|--------------------------------|---|----------------------------------|-----|
|    | MARENTA UTAMA                  | Natural Custodial Parent of Minors                            | N.K.R.Y.                         |     |
| 4  | ABDUL KHAER                    | MUTOHAROH,<br>Natural Custodial Parent of Minors              | N.K.<br>H.K<br>T.K.              | 344 |
| 5  | HARDY                          | VINA OCTA SITINDAON<br>Natural Custodial Parent of Minor      | A.S.H.                           | 345 |
| 6  | MOHAMAD FADILLAH               | SUMIATI,<br>Natural Custodial Parent of Minor                 | M.F.A.                           | 346 |
| 7  | TESA KAUSAR                    | NARULITA SARI<br>Natural Custodial Parent of Minors           | K.D.A.<br>K.R.A.                 | 347 |
| 8  | FIFI HAJANTO                   | RIANDY CHRISTIAN SAPUTRA<br>Natural Custodial Parent of Minor | K.A.                             | 348 |
| 9  | REO YUMITRO                    | ILONA<br>Natural Custodial Parent of Minors                   | D.R.<br>A.A.<br>A.A.R.<br>R.B.R. | 349 |
| 10 | VERIAN UTAMA                   | FRISCILLA HARLIAN TONI<br>Natural Custodial Parent of Minor   | W.A.U.                           | 350 |
| 11 | MUHAMMAD LUTHFI<br>NURRAMDHANI | KARLINA SETIAPUTRI<br>Natural Custodial Parent of Minor       | M.A.K.N.                         | 351 |

3. In each instance, this Court ordered that the minors' settlement funds were to be deposited into blocked accounts. Further, in each instance, this Court ordered: "Without further order of the court no funds may be withdrawn from said blocked account(s) prior to the minor reaching 18 years of age". #7 *ECF 341 – 351*.

4. This Court can take judicial notice that subsequent to entry of the above referenced orders, this Court has in many instances, including multiple cases wherein these counsel have represented minors, ordered that the minors' funds be delivered into the care of natural custodial parents.

5. Plaintiffs now petition the Court for an order allowing the minors' settlement funds to be released into the care of the minors' natural custodial parents serving as the minors' next friend.

## **LAW**

6. Dr. Amad Sudiro, Dean of the Law School and Professor at Tarumanagara University in Jakarta, a well recognized and published expert on Indonesian Aviation law, has provided his legal opinion attached as Exhibit A together with his C.V. attached as Exhibit B.

7. According to Dean Sudiro, Indonesian law provides that settlement funds from a wrongful death lawsuit belonging to minors can be conveyed directly to a natural custodial parent of a minor beneficiary. Dr. Amad Sudiro, S.H., M.H., M.M., M.Kn., *Legal Memorandum on Funds for Minor Beneficiaries of a Lawsuit*, citing Articles 26 & 33-35 of *Act 35 of 2014 amending Act 23 of 2002 on Child Protection ("Child Protection Act")*, Ex. A.

8. These funds belong to the minor and therefore the parent or legal guardian must manage the funds exclusively for the needs and benefit of the minor. Sudiro, *Ibid*, citing Articles 34, 35 ¶ (2), and Articles 50 & 51 ¶¶ (3)-(4) of the *Child Protection Act*, together with Articles 110 & 112 of the *Marriage Act*, in the *Indonesian Compilation of Islamic Law*, ("KHI").

9. Further, the parent or legal guardian must convey the funds to the minor when the minor becomes of legal age. See Declaration of Mark Lindquist, Exhibit A, Sudiro, *Ibid*, citing *Article 50 of Act 16 of 2019 amending Article 111 of Act 1 of 1974 on Marriage ("Marriage Act") of the KHI*.

10. Mack Shultz, an attorney representing Boeing in the Lion Air litigation, was informed of this motion. He stated Boeing would not be taking a position on this issue and had no objection to the motion. See Declaration of Mark Lindquist.

## **CONCLUSION**

11. Plaintiffs respectfully request the Court enter an order to allow settlement funds for minor Plaintiffs to be released into the care of the minors' natural custodial parents.

Dated this 14th day of August 2020.

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